

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0452.01 Jerry Barry x4341

HOUSE BILL 16-1057

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HOUSE SPONSORSHIP

Ransom,

SENATE SPONSORSHIP

Merrifield,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING STATUTORILY ESTABLISHED TIME PERIODS THAT ARE  
102 MULTIPLES OF SEVEN DAYS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill changes several time periods in title 19 to conform to court rules and previous acts that made time periods multiples of 7.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1           **SECTION 1.** In Colorado Revised Statutes, 19-1-108, **amend** (3)  
2 (c) introductory portion, (3) (c) (II), and (5.5) as follows:

3           **19-1-108. Magistrates - qualifications - duties.** (3) (c) In  
4 proceedings under article 3 of this title, the right to require a hearing  
5 before a judge ~~shall be deemed~~ IS waived unless:

6           (II) A request is made by a party or the people of the state of  
7 Colorado in writing within ~~five~~ SEVEN days after receipt of notice of the  
8 setting if the matter is set for hearing outside of the presence of counsel  
9 for a represented party or if the matter is set on notice.

10          (5.5) A request for review ~~shall~~ MUST be filed within ~~fifteen~~  
11 FOURTEEN days for proceedings under articles 2, 4, and 6 of this title or  
12 within ~~five~~ SEVEN days for proceedings under article 3 of this title after  
13 the parties have received notice of the magistrate's ruling and ~~shall~~ MUST  
14 clearly set forth the grounds relied upon. Such review ~~shall be~~ IS solely  
15 upon the record of the hearing before the magistrate and ~~shall be~~ IS  
16 reviewable upon the grounds set forth in rule 59 of the Colorado rules of  
17 civil procedure. A petition for review ~~shall be~~ IS a prerequisite before an  
18 appeal may be filed with the Colorado court of appeals or Colorado  
19 supreme court. The judge may, on his or her own motion, remand a case  
20 to another magistrate after action is taken on a petition for review.

21          **SECTION 2. Effective date - applicability.** (1) (a) This act  
22 takes effect on July 1, 2016, and, except as provided in subsection (2) of  
23 this section, applies to:

24          (I) Time intervals that are counted forward and, under the  
25 provisions of this act, commence and end with dates on or after July 1,  
26 2016; and

27          (II) Time intervals that are counted backwards and, under the

1 provisions of this act, commence and end with dates after June 30, 2016.

2 (b) For purposes of this subsection (1), in determining the date  
3 that a time interval commences, the first day of the period is counted.

4 (2) This act does not apply to modify the settings of any dates or  
5 time intervals set by an order of a court entered before July 1, 2016.

6 (3) The general assembly requests the supreme court to provide  
7 by rule, order, or other similar guidance examples of various time  
8 intervals related to civil and criminal procedures that are counted forward  
9 and that are counted backward and to which this act applies and to which  
10 this act does not apply pursuant to subsection (1) of this section.

11 **SECTION 3. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.